IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 23RD NOVEMBER 2007 / 2ND AGRAHAYANA 1929

OP.No. 18906 of 2000(A)

PETITIONER:

MADAMBILLATH RASIYA, AGED 23 YEARS,
S/O. RABIYA, RESIDING AT
KAIKOTTUKADAVU, SOUTH TRIKARIPPUR
VILLAGE, HOSDURG TALUK,
KASARAGOD DISTRICT.

BY ADV. SRI.T.K.VIPINDAS
SRI.SAJEEV ASOKAN

RESPONDENTS:
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1. **THE DISTRICT COLLECTOR,**
KANNUR P.O., KANNUR.

2. **THE DISTRICT REGISTRAR,**
DISTRICT REGISTRAR OFFICE
KANNUR.

3. **SUB REGISTRAR, SUB REGISTRAR OFFICE,**
PERINGOME KANNUR DISTRICT.

BY GOVERNMENT PLEADER SRI.MUHAMMED PUZHAKKARA

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 23/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

OP. NO.18906/2000

ORDER ON CMP. NO.31506/2000 IN OP. 18906/2000

DISMISSED

23.11.2007 **SD/- KURIAN JOSEPH, JUDGE**

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE DEMAND NOTICE DT. 14.6.2000 ISSUED BY THE 3RD RESPONDENT TO THE PETITIONER.

/TRUE COPY/

P.A. TO JUDGE

tss

KURIAN JOSEPH, J.

O.P. NO. 18906 OF 2000

Dated this the 23rd day of November, 2007.

J U D G M E N T

Petitioner approached this Court with certain grievances regarding steps taken for recovery of stamp duty. Learned Government Pleader submits that the petitioner could not be heard in the matter because she did not appear pursuant to the notice. However, there is no evidence regarding service of notice. After having heard the learned counsel appearing for the petitioner, I am of the view that it is only in the interests of justice that the second respondent considers the issue after hearing the petitioner also. Accordingly, the impugned final orders are set aside without prejudice to the liberty to the second respondent to pass fresh orders in accordance with law after affording a fresh opportunity for hearing to the petitioner.

The original petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

smp

KURIAN JOSEPH, J.

O.P. NO. 18906 OF 2000

J U D G M E N T

23.11.2007